THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE G.V. SEETHAPATHY

TAKEN UP WRIT PETITION NO. 12751 OF 2007
DATE: 03.07.2007

Between:

Garadi Bhulakshmi W/o Narayana, aged about 70 years

…Petitioner

AND

1. The Commissioner of Police, Cyberabad, Hyderabad and two others.

….Respondents

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HON'BLE SRI JUSTICE D.S.R.VARMA

AND

HON'BLE SRI JUSTICE G.V. SEETHAPATHY

–

TAKEN UP WRIT PETITION NO. 12751 OF 2007

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. The grievance of the petitioner in this Writ Petition, while asking for a Writ of Habeas Corpus, is that her grand sons viz., Garadi Siva, S/o late Lalaiah, Garadi Mangaiah, S/o Narayana aged 30 years and another person by name Mr. Shiva S/o. not known, were illegally detained by the police of Saroornagar Police Station, Cyberabad.

3. A counter-affidavit has been filed by the Inspector of Police, Saroornagar Police Station, Cyberabad, stating, *inter alia*, that the alleged detenus Nos.1 and 3 are accused in Crime No.167 of 2007 for the offences punishable under Sections 457 and 380 I.P.C., that in connection with the same, they were arrested on 20.6.2007 and produced before the VII Metropolitan Magistrate at Hayathnagar, Cyberabad, who remanded them to judicial custody and now they are in Central Prison, Cherlapally.

4. As regards the alleged detenu No. 2, it is stated that he has no connection with any crime and hence not required by the police and has been moving freely. To that effect, the Deputy Collector and Tahsildar, Saroornagar Mandal, has recorded the statement of the alleged detenu No. 2, which contains the photographs of the alleged detenu, and that the certificate issued by the Deputy Collector and Tahsildar, are made part of the record. Hence, we do not find any reason to disbelieve the statement recorded by the Deputy Collector and Tahsildar, Saroornagar.

5. In view of the said revelations in the counter affidavit, we see no reasons to continue the Writ petition any longer and the same is liable to be closed.

6. In the result, the writ petition is closed, at the stage of

admission. No order as to costs.

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D.S.R.VARMA, J

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G.V. SEETHAPATHY,
J

Dated: 03.07.2007
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